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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

COLUMBIA PICTURES
INDUSTRIES, INC., *et. al.*

Plaintiffs,
v.

GARY FUNG, *et. al.*

Defendants.

Case No. **CV-06-05578 SVW (JCx)**

**NOTICE OF PLAINTIFFS'
MOTION FOR SUMMARY
JUDGMENT ON AFFIRMATIVE
DEFENSES OF FAIR USE AND
FAILURE TO MITIGATE**

Date: September 23, 2013

Time: 1:30 PM

Ctrm: 6

Judge: The Hon. Stephen V. Wilson

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on September 23, 2013, at 1:30 PM, in Courtroom 6 of the above-entitled Court, located at 312 N. Spring Street, Los Angeles, California 90012, the above-named plaintiffs will and hereby do move the Court for an order entering summary judgment on affirmative defenses of fair use and failure to mitigate.

This Motion is based on the attached Plaintiffs' Memorandum In Support of Motion For Summary Judgment and Plaintiffs' Statement of Uncontroverted Facts and Conclusions of Law in Support of Motion for Summary Judgment. This motion is made following discussions of counsel pursuant to Local Rule 7-3 on August 9, 2013, and August 16, 2013.

Dated: August 26, 2013

Respectfully submitted,

JENNER & BLOCK LLP

By: /s/ Steven B. Fabrizio
Steven B. Fabrizio

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